

Before the State of South Carolina  
Department of Insurance

In the matter of:	)	
	)	
The Mountbatten Surety Company, Inc.	)	Consent Order
	)	Imposing Administrative Penalty
33 Rock Hill Road	)	
Bala Cynwyd, Pennsylvania 19004.	)	File Number 2000-101837
_____	)	

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and the Mountbatten Surety Company, Inc., an insurer authorized to transact insurance business within the State of South Carolina.

Mountbatten hereby admits, and I find as fact, that it failed to timely file its March 2000 Quarterly (annual adjusted) Fee and Tax Return with the Department. The Department previously has addressed this issue with Mountbatten in 1996 and 1997. Mountbatten's action is a direct violation of S.C. Code Ann. § 38-7-10 and 38-7-60 (3)(b) (Supp. 1999) that can ultimately lead to the revocation of an insurer's certificate of authority pursuant to S.C. Code Ann. § 38-5-120 (A) (2) (Supp. 1999) to transact the business of insurance within the State of South Carolina, following a public hearing before the Administrative Law Judge Division.

Prior to the initiation of formal administrative disciplinary proceedings by the Department against it, Mountbatten and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision. That consensual recommendation was that, in lieu of the Department's filing of a petition to revoke its certificate of authority to transact business as an insurer within the State of South Carolina, Mountbatten would waive its right to a public hearing and immediately submit an administrative penalty in the total amount of \$1,000.

S.C. Code Ann. § 38-7-10(A) (Supp. 1999) in pertinent part states that "Every insurer... [shall] pay to the Department a biennial license fee of eight hundred dollars by March first every other year." Subsection (B) also requires "a license fee of four hundred dollars for each kind of insurance of insurance for which the insurer is licensed" to be paid "by March first every two years." Section 38-7-60(3) requires insurers to pay "premium and other taxes imposed...in quarterly installments on or before March first, June first, September first, and December first of each calendar year."

After a thorough review of the matter, carefully considering the recommendations of the parties, and pursuant to my findings of fact and conclusions of law, although I can now revoke Mountbatten's certificate of authority, I hereby invoke the discretionary authority provided to me

\_\_\_\_\_ The Mountbatten Surety Company, Inc.

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by the State of South Carolina General Assembly within S.C. Code Ann. §§ 38-2-10 and 38-5-130 (Supp. 1999), accept the recommendation of the parties, and impose an administrative penalty in the total amount of \$1,000 against Mountbatten. This administrative penalty must be paid within fifteen days of my date and signature upon this consent order. If that total amount is not paid on, or before, that date, then Mountbatten's certificate of authority to transact business as an insurer within the State of South Carolina will be summarily revoked without any further administrative disciplinary proceedings.

This administrative penalty has been reached by the parties in consideration of Mountbatten's assurance that it will timely file each of its future fee and tax returns with the Department. By the signature of one of its officers or authorized representatives upon this consent order, Mountbatten acknowledges that it understands that this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 1999).

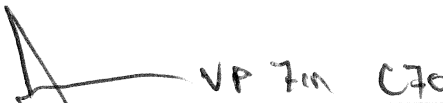
It is, therefore, ordered that the Mountbatten Surety Company, Inc. shall, within fifteen days of my date and my signature upon this consent order, pay through the Department an administrative penalty in the total amount of \$1,000.

This consent order becomes effective on the date of my signature below.

  
Ernst N. Csiszar  
Director

May 2<sup>nd</sup>, 2000, at  
Columbia, South Carolina

I CONSENT:

  
Joel D. Cooperman  
Chief Financial Officer  
The Mountbatten Surety Company, Inc.  
33 Rock Hill Road  
Bala Cynwyd, Pennsylvania 19004

Dated this 15<sup>th</sup> day of May, 2000